

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF TEXAS
MARSHALL DIVISION**

UNILOC USA, INC. and UNILOC
LUXEMBOURG, S.A.,

Plaintiffs,

v.

MOTOROLA MOBILITY LLC,

AVAYA INC.,

Defendants.

2:16-CV-00992-JRG **LEAD CASE**

2:16-CV-00777-JRG

JURY TRIAL DEMANDED

**NOTICE OF SUGGESTION ON PENDENCY OF BANKRUPTCY FOR
AVAYA INC. AND AUTOMATIC STAY OF PROCEEDINGS**

PLEASE TAKE NOTICE that, on January 19, 2017, Avaya Inc., and certain of its subsidiaries and affiliates (collectively, the “Debtors”),¹ filed voluntary petitions for relief under chapter 11 of title 11 of the United States Code, 11 U.S.C. §§ 101—1532 (the “Bankruptcy Code”), in the United States Bankruptcy Court for the Southern District of New York (the “Bankruptcy Court”). The Debtors’ chapter 11 cases are pending before the Honorable Judge Stuart M. Bernstein, United States Bankruptcy Judge, and are being jointly administered under the lead case In re Avaya Inc., et al., Case No. 17-10089 (SMB) (the

¹ The Debtors in these chapter 11 cases, along with the last four digits of each Debtor’s federal tax identification number, include: Avaya Inc. (3430); Avaya CALA Inc. (9365); Avaya EMEA Ltd. (9361); Avaya Federal Solutions, Inc. (4392); Avaya Holdings Corp. (9726); Avaya Holdings LLC (6959); Avaya Holdings Two, LLC (3240); Avaya Integrated Cabinet Solutions Inc. (9449); Avaya Management Services Inc. (9358); Avaya Services Inc. (9687); Avaya World Services Inc. (9364); Octel Communications LLC (5700); Sierra Asia Pacific Inc. (9362); Sierra Communication International LLC (9828); Technology Corporation of America, Inc. (9022); Ubiquity Software Corporation (6232); VPNet Technologies, Inc. (1193); and Zang, Inc. (7229). The location of Debtor Avaya Inc.’s corporate headquarters and the Debtors’ service address is: 4655 Great America Parkway, Santa Clara, CA 95054.

“Chapter 11 Cases”). A copy of the voluntary petition of the lead Debtor, Avaya Inc., is attached hereto as **Exhibit A**.

PLEASE TAKE FURTHER NOTICE that pursuant to section 362(a) of the Bankruptcy Code, the Debtors’ filing of their respective voluntary petitions gives rise to a stay, applicable to all entities, of, among other things: (a) the commencement or continuation of any judicial, administrative, or other action or proceeding against the Debtors (i) that was or could have been commenced before the commencement of the Chapter 11 Cases or (ii) to recover a claim against the Debtors that arose before the commencement of the Chapter 11 Cases; (b) the enforcement, against any of the Debtors or against any property of each of the Debtors’ bankruptcy estates, of a judgment obtained prior to the commencement of the Chapter 11 Cases; and (c) any act to obtain possession of property of or from any of the Debtors’ bankruptcy estates, or to exercise control over property of any of the Debtors’ bankruptcy estates.² No order has been entered in the Chapter 11 Cases granting relief from the automatic stay.

PLEASE TAKE FURTHER NOTICE that copies of the above-referenced motions may be obtained free of charge by visiting the website of Prime Clerk LLC at <http://cases.primeclerk.com/avaya> or by calling (855) 252-2156. You may also obtain copies of any pleadings by visiting the Court’s website at <https://ecf.nysb.uscourts.gov/> (PACER login and password required) in accordance with the procedures and fees set forth therein.

[Remainder of page intentionally left blank]

² Nothing herein shall constitute a waiver of the Debtors’ rights to assert any claims, counterclaims, defenses, rights of setoff or recoupment, or any other claims against any party to the above-captioned case. The Debtors expressly reserve all rights to contest any claims that may be asserted against the Debtors.

Dated: January 20, 2017

Respectfully submitted:

By: /s/ Amr O. Aly with permission,
by Michael E. Jones

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Attorneys for Defendant Avaya Inc.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that all counsel of record who are deemed to have consented to electronic service are being served with a copy of this document via electronic mail per Local Rule CV-5(a)(3) on January 20, 2017. Any other counsel of record will be served by First Class U.S. mail on this same date.

/s/ Michael E. Jones